



# State of Utah

DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF OIL, GAS AND MINING

Norman H. Bangerter  
Governor

Dee C. Hansen  
Executive Director

Dianne R. Nielson, Ph.D.  
Division Director

355 West North Temple  
3 Triad Center, Suite 350  
Salt Lake City, Utah 84180-1203  
801-538-5340

April 30, 1991

Certified Return Receipt  
P 074 979 067

Mr. Wendell Owen  
Co-Op Mining Company  
P.O. Box 1245  
Huntington, Utah 84528

Dear Mr. Owen:

Re: Hindrance Violation NOV #N91-20-1-1, Co-Op Mining Company,  
Bear Canyon Mine, ACT/015/025, Folder #2 and #5, Emery  
County, Utah

Attached is a hindrance violation for failure to respond to the Division Order issued November 27, 1990, in a complete and technically adequate manner. Please note the abatement date of May 24, 1991. Due to the time already consumed in the Division Order, no extensions will be allowed beyond this abatement date.

Sincerely,

Lowell P. Braxton  
Associate Director, Mining

jbe

Attachment

cc: Carl Kingston, Co-Op  
Eldon Kingston, Co-Op  
J. Helfrich, DOGM  
P. Grubaugh-Littig, DOGM  
T. Munson, DOGM

AT015025.7

*Division's*

**EXHIBIT**

*#3*



UTAH  
NATURAL RESOURCES  
Oil, Gas & Mining

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NO. N 91-20-1-1

To the following Permittee or Operator:

Name CO-OP MINING COMPANY

Mine BEAR CANYON MINE

☐ Surface

☒ Underground

☐ Other

County EMERY

State UTAH

Telephone \_\_\_\_\_

Mailing Address P.O. BOX 1245 HUNTINGTON, UTAH 84528

State Permit No. ACT/015/025

Ownership Category

☐ State

☐ Federal

☒ Fee

☐ Mixed

Date of inspection \_\_\_\_\_, 19 \_\_\_\_

Time of inspection \_\_\_\_\_ ☐ a.m. ☐ p.m. to \_\_\_\_\_ ☐ a.m. ☐ p.m.

Operator Name (other than Permittee) \_\_\_\_\_

Mailing Address \_\_\_\_\_

Under authority of the Utah Coal Mining and Reclamation Act, Section 40-10-1 et seq., *Utah Code Annotated*, 1953, the undersigned authorized representative of the Division of Oil, Gas & Mining has conducted an inspection of above mine on above date and has found violation(s) of the act, regulations or required permit condition(s) listed in attachment(s). This notice constitutes a separate Notice of Violation for each violation listed.

You must abate each of these violations within the designated abatement time. You are responsible for doing all work in a safe and workmanlike manner.

The undersigned representative finds that **cessation of mining** is ☐ is not ☒ expressly or in practical effect required by this notice. For this purpose, "mining" means extracting coal from the earth or a waste pile, and transporting it within or from the mine site.

This notice shall remain in effect until it expires as provided on reverse side of this form, or is modified, terminated or vacated by written notice of an authorized representative of the director of the Division of Oil, Gas & Mining. Time for abatement may be extended by authorized representative for good cause, if a request is made within a reasonable time before the end of abatement period.

Date of service/mailling April 26, 1991

Time of service/mailling 5-2-91 3:00 ☐ a.m. ☒ p.m.

WENDELL OWEN  
Permittee/Operator representative

MINE MANAGER  
Title

Signature

PAMELA GAUBAUGH-LITTLE  
Division of Oil, Gas & Mining representative

Permit Supervisor  
Title

Pamela Gaubagh-Little  
Signature

#20  
Identification Number

SEE REVERSE SIDE

WHITE-DOGM YELLOW-OSM PINK-PERMITTEE/OPERATOR GOLDENROD-NOV FILE

DOGM/NOV-1

an equal opportunity employer

11/85

notice of violation



NOTICE OF VIOLATION NO. N 91-20-1-1

Violation No. 1 of 1

Nature of violation

Failure to operate in accordance and compliance  
with the terms and conditions of the permit, all  
applicable performance standards and requirements  
of the State Program. Failure to submit all information  
required by the Division Order issued 11/27/90, (i.e. items  
identified as #8, #14, #17, and #18) have not been

Provisions of act, regulations or permit violated

UAC R614-300-143

UAC R614-303-212

Portion of operation to which notice applies

The entire permit area

Remedial action required (including any interim steps)

Submit all complete and technically adequate  
information (as determined by the Division) to  
comply with all Division regulations and the  
Division Order issued 11/27/90

Abatement time (including interim steps)

May 24, 1991 (with no extensions beyond  
that date).

LPB